

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

ANTHONY E. GOOCH, individually and)	
on behalf of all similarly situated individuals,)	
)	
Plaintiff,)	CLASS ACTION
)	
v.)	Civil Action No: 1:07-0016
)	JUDGE HAYNES
LIFE INVESTORS INSURANCE)	
COMPANY OF AMERICA;)	
AEGON USA, Inc.)	
)	
Defendants.)	

**PLAINTIFF’S EVIDENTIARY SUBMISSION IN SUPPORT OF PLAINTIFF’S
OPPOSITION TO DEFENDANT AEGON USA, INC.’S
MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION**

COMES NOW the Plaintiff, Anthony E. Gooch (hereinafter “Plaintiff”), individually and on behalf of other similarly situated individuals, and files the following exhibits in support of his Opposition to Defendant AEGON USA Inc.’s Motion to Dismiss for Lack of Personal Jurisdiction:

Exhibit “A” – AEGON NV 2005 Annual Report;

Exhibit “B” – Declaration of Mary Taiber filed January 10, 2006 in the matter entitled
McCullough v. AEGON USA, Inc., et al., Case No. CV05-7215 (C.D.
Cal.);

Exhibit “C” – AEGON NV 2004 Annual Report excerpts;

Exhibit “D” – Claim forms and instructions;

Exhibit “E” – Waiver of Premium Claim form;

Exhibit “F” – Correspondence dated May 1, 2006 on Life Investors Insurance Company of America letterhead;

Exhibit “G” – Market Conduct Examination Report of the life and health business of Life Investors Insurance Company of America by the State of Maryland, Maryland Insurance Administration dated December 29, 2006;

Exhibit “H” – Life Investors Insurance Company of America’s Explanation of Benefits dated August 23, 2005; and

Exhibit “I” –Claim payments dated June 7, 2007.

Exhibit “J” –Plaintiff’s Deposition Notices, First Interrogatories and Requests for Production Related to the Jurisdictional Challenge of Defendant AEGON USA, Inc.

Exhibit “K” – Flynn v Greg Construction, Inc., 95 Fed.Appx. 726 (6th Cir. 2003);
See, Inc. v. Imago Eyewear Pty, Limited, et al, 167 Fed.Appx. 518 (6th Cir. 2006)

Respectfully submitted,

/s/ Thomas O. Sinclair
Thomas O. Sinclair
One of the Attorneys for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the following counsel of record via the Court's electronic filing system, this the 14th day of June, 2007.

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